

METROPOLITAN SEWERAGE DISTRICT BOARD

October 19, 1982

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the Boardroom of MSD's Administration Building at 2 p.m., Tuesday, October 19, 1982.

Chairman Robinson called the meeting to order, and Mrs. Crowe called the roll. In addition to the Chairman, the following members were present: Messrs. Boggs, Clark, Dent, Griffith, Pope, Smith, and Williams and Mrs. Sciara.

In addition to the Board, the following attorney, consultants, and MSD staff were present: Mr. John S. Stevens; Messrs. Dean Huber and Ray Carter; Messrs. W. H. Mull and Doug Thrash and Mrs. Jan Crowe.

Mr. Smith moved that the minutes stand approved as written, and Mr. Dent seconded the motion. Voice vote was unanimous in favor of the motion.

Mr. W. H. Mull, Engineer-Manager, reported on the following:

- a. Status report on hydroelectric facility: At Mr. Mull's request, Mr. Huber presented to the Board a letter setting forth three Fish and Wildlife recommendations which appear to be firm and final: 1. Construct a fish passage device; 2. Maintain a minimum discharge at the dam of 460 cfs from July through January and 840 cfs from February through June; 3. Provide a screen or other device to protect aquatic organisms from entrainment or impingement. The consulting engineers believe Items 1 and 3 can be handled for an added capital outlay of approximately \$100,000; however, Item 3 will present unknown maintenance problems at times. Item 2 will be much more costly, i.e., annual revenue loss of approximately \$285,000. About \$220,000 of the lost revenue could be recovered if the MSD constructed a fourth generating unit at the dam at a capital cost of \$800,000. Mr. Huber advised the Board that there are two feasible alternatives for action, those being: 1. Proceed with the original proposal--file for license exemptions with FERC and run the risk of rejection because of Fish and Wildlife requirements not being met; or 2. Proceed with the alternate proposal and accept the extra \$900,000 capital cost and the loss of approximately \$65,000 per year revenue. After discussion, Mr. Smith moved that the MSD proceed with the original proposal as a means of forcing the issue and getting it settled once and for all and authorize the consulting engineers to file for license exemptions with FERC. Mr. Pope seconded the motion, and roll call vote was unanimous in favor of the motion.
- b. Tentative award for contract for Section 1-General of Weaver-ville Project Number 587: Mr. Mull told the Board that the apparent low bid received on this project was for \$887,539.50 submitted by Burke Construction Company, Morganton, N. C. The consulting engineers had reviewed the bids and checked references of Burke Construction Company and recommended that tentative award be made to Burke. The District's attorneys found the bid to be in acceptable form. Mr. Dent then moved that the Board adopt the resolution tentatively awarding the contract for this project to Burke Construction Company, subject to State and EPA approval. Mr. Williams seconded the motion, and roll call vote was unanimous in favor of the motion. The resolution in its entirety is as follows:

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RESOLUTION

WHEREAS, the Metropolitan Sewerage District of Buncombe County, North Carolina, desires to expand its sewerage system in the interest of the public's health; and

WHEREAS, competitive bids have been solicited and received from contractors for Project No. 587, Section I, Weaverville Pumping Station/Force Main System; and

WHEREAS, the following low bidder for Section I has been reviewed by Harry Hendon and Associates, Inc., and found to be responsible:

Burke Construction Co., Inc.
504 East Union Street
Morganton, NC 28655
\$887,539.50

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Sewerage District Board to award said contract to said low bidder pending North Carolina Department of Natural Resources and Community Development and United States Environmental Protection Agency approval; and


BE IT FURTHER RESOLVED to pledge the required local funds for Section I (approximately \$110,942.44); and

BE IT FINALLY RESOLVED to authorize Mr. W. H. Mull, Engineer-Manager of the Metropolitan Sewerage District of Buncombe County, to execute all contracts and documents relating to this project on behalf of the Metropolitan Sewerage District.

RESOLVED this 19th day of October, 1982, by the Chairman of the Board of the Metropolitan Sewerage District of Buncombe County.

METROPOLITAN SEWERAGE DISTRICT OF
BUNCOMBE COUNTY, NORTH CAROLINA


C. LeRoy Robinson
Chairman of the Board


Secretary

Other bids received for Section 1-General for the Weaverville Project are as follows:

Blythe Industries, Inc.	\$1,157,910.00	Taylor & Murphy Const.	\$1,021,635.00
Hall Contracting Corp.	\$ 936,197.00	Bryant Utilities Const.	\$1,345,870.00

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Mr. Mull told the Board that only two bids were received for Section 2-Electrical on the Weaverville Project (at least three are needed for a bid opening on first advertisement); therefore, readvertisement is necessary, with a second bid opening scheduled for November 17.

- c. Resolution regarding MSD bonds offered for redemption: Mr. Smith moved that the Board adopt this resolution to be effective from October 19, 1982, through October 31, 1983. Mr. Dent seconded the motion, and roll call vote was unanimous in favor of the motion. The resolution in its entirety is as follows:

RESOLUTION

WHEREAS, there have been offered for redemption to the Trustee under the Resolution authorizing Sewerage Disposal Bonds of the Metropolitan Sewerage District of Buncombe County from time to time over past years bonds of the District at such prices which has resulted in a decision by the Trustee to buy such bonds believing such purchase at favorable prices to be in the overall best interest of the District; and

WHEREAS, such bonds are only offered for redemption from time to time on a very irregular basis and remain on the market for only a very brief time; and

WHEREAS, in June, 1981, and October, 1982, bonds were offered for redemption at a very favorable price and the Engineer-Manager of the District recommended the purchase of the bonds but was unable to complete polling the members of the District Board in order to determine if the Board favored recommending such purchase to the Trustee before all of the bonds in question were sold to other buyers; and

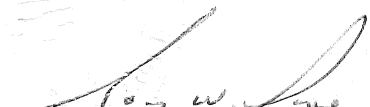
WHEREAS, in order to buy such bonds the Trustee must have sufficient funds in its Redemption Account to pay for any bonds offered; and


WHEREAS, some mechanism for review of purchase opportunities by a representative committee of the Board is advisable in order that the Trustee may be timely advised of opportunities to acquire bonds of the District offered for redemption at favorable prices and will have sufficient funds in the Redemption Account to buy such bonds;

NOW, THEREFORE, BE IT RESOLVED, a Bond Redemption Advisory Committee composed of the Chairman or Vice-Chairman, the Secretary-Treasurer, and one other member of the District Board appointed by the Chairman and acting upon the advice and recommendation of the Engineer-Manager, is hereby authorized on behalf of the District to authorize the transfer of sufficient funds into the Redemption Account to enable the Trustee to buy bonds of the District which are offered for redemption in an amount not to exceed 20 percent of the funds in the Reserve Account or \$500,000., whichever is greater, if in the unanimous judgment of such committee the price is a fair one and that the purchase of such bonds at that price by the Trustee would materially promote the interest of the District.

BE IT FURTHER RESOLVED that this Resolution shall be effective for a period of one year to and including the 31st day of October, 1983.

Read, approved, and adopted this 19th day of October, 1982.


Secretary to the Board


Chairman of the Board
Metropolitan Sewerage District
of Buncombe County

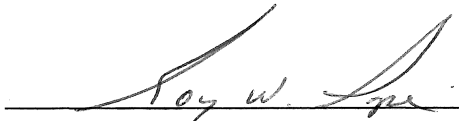
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- d. Status report on Hominy Valley, South Buncombe, and Weaverville projects: Hominy Valley: Phase I complete; construction is 89% complete on Phase II; construction is 62% complete on Phase III; 3 parcels remain to be acquired, of which all 3 are under condemnation. South Buncombe: Construction is 90% complete on Section 1, Hobson, and 95% complete on Section 2, Elcon, on Phase I; Phase II is 38% complete; bids will be opened on Phase III November 30, 1982; 13 parcels remain to be acquired, of which all 13 are under condemnation. Weaverville: Apparent low bidder for Section 1-General is Burke Construction Company, and rebid for Section 2-Electrical is scheduled for 11/17/82. Of the 17 parcels to be acquired on this project, 14 have been acquired, 1 is under negotiation, and 2 are under condemnation. This report was received as information by the Board.
- e. Receipt of bid received for 1983 ½-ton pickup truck: Mr. Pope moved that the Board accept the one bid received on readvertisement to Hunter Chevrolet, Hendersonville, for a bid price of \$9,507.00. Mr. Boggs seconded the motion, and roll call vote was unanimous in favor of the motion.
- f. Mr. Mull told the Board that eleven persons from various industries attended the meeting, along with one State employee, in addition to MSD consultants, board members, and staff. As soon as the minutes as prepared by court reporters are received, the package will be sent to the State for review. This report was received as information by the Board.
- g. WPCF Annual Conference in St. Louis: Mr. Mull told the Board that this was one of the largest national conferences ever held (9,200 persons attended) and that he was very impressed with two types of new flow monitoring devices, one of which perhaps could be used very effectively at Sayles and other local industries. This report was received as information by the Board.
- h. Designation of two MSD Board members to serve on the 208 Sewer Consolidation Task Force Executive Committee: Mr. Smith and Chairman Robinson agreed to serve on this committee, which will meet approximately every four to six weeks.

Since the regular December meeting date for the MSD Board would fall on Christmas week and since two important matters should be considered during that meeting (awarding the contract for Weaverville, Section 2, and an update on the 208 meeting held October 20), it was the consensus of the Board that the meeting date be moved back to December 14. News media will be notified of this change.

Date of the next regular meeting of the MSD Board will be November 16, 1982.

There being no further business, the meeting was adjourned at 3:20 p.m.


Secretary